

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and following remarks.

Claims 1-10 are pending. By this Amendment the specification is amended to correct informalities, claims 1 and 2 are amended to address the rejection under 35 U.S.C. §112, second paragraph, claim 6 is amended to correct a typographical error and new claim 10 is added. No new matter has been added.

The specification is amended to correct typographical errors and to provide section headings.

The Examiner rejects claims 1-9 under 35 U.S.C. §112, second paragraph. Claims 1 and 2 are amended to address the issues raised by the Examiner.

The Examiner rejects claims 1-9 under 35 U.S.C. §102(b) over DE 38 39 778 (DE '778) and rejects claims 1-9 under 35 U.S.C. §102(b) over U.S. Patent No. 5,295,629 to Satake et al. These rejections are respectfully traversed.

Neither the DE '778 patent nor the Satake patent disclose a baffle plate configured to be continuously actuated by means of a membrane drive as in Applicants' independent claim 1. This claimed feature encompasses Applicants' exemplary embodiments illustrated in Fig. 1 and Fig. 2 wherein an exemplary baffle plate 12 of Fig. 1 is used to seal a product outlet 11. In the Fig. 2 example, an electronic unit 20 monitors and regulates the membrane drive 13 using the control valves 21. A pneumatically controlled lever mechanism 23 controls the product dependent contact force preset on the electronic unit 20. Thus, a constant contact force can be generated on the baffle plate.

The DE '778 patent discloses a grinding or polishing machine for grains including a force actuated closure member. In order to achieve a uniform brightness of the polished materials, a measuring device detects the brightness of the materials. Fig. 1 is believed to disclose a measuring device as a camera 34 arranged downstream of the discharge opening. The English language Abstract indicates that an output signal of the camera adjusts the closing force of the closure member via a regulating circuit. The DE '778 patent discloses a manually adjusted weight 25, 125 to actuate the baffle plate. Thus, the DE '778 patent does not disclose a membrane, nor does this document disclose a membrane drive as recited in Applicants' claim 1.

The Satake patent discloses in Fig. 3, a resistance plate 75 fixed to a weight lever 76. The weight lever 76 is pivoted at one end and a weight 77 is movably provided at the other end. It appears that the Satake patent discloses a manually operated resistance plate 75. Thus, the Satake patent does not disclose a membrane or a membrane drive as recited in Applicants' claim 1.

As such, claim 1 is considered allowable.

Claim 2 is also considered allowable. Neither the DE '778 patent nor the Satake patent disclose a rotor including a hollow shaft with air through openings, the hollow shaft having an upper and a lower air inlet as recited in Applicants' independent claim 2. This claimed feature encompasses Applicants' embodiments illustrated in Fig. 1 and Fig. 2, wherein grinding rotor 4 has an upper air inlet 9 and a lower air inlet 10 allowing for uniform ventilation of a working area. Because air is uniformly supplied over the length of the working area, the processed grain is heated to a less extent, and the bran is treated and removed more uniformly.

In Fig. 1 of the DE '778 patent, shaft 9 has only one inlet, near element 8. Duct 27 is an outlet and duct 28 is a bypass. Thus, the DE '778 patent does not disclose a lower air inlet.

The Satake patent discloses in Fig. 2 a jet air fan 44 communicating with air supplying chamber 40. Fig. 4 of the Satake patent discloses air supplying fan 244 which communicates with the upper end portion of the main shaft 213 through a duct 243. Neither the DE '778 patent nor the Satake patent disclose a hollow shaft having an upper and lower air inlet. As such, Applicants' claim 2 is allowable.

The remaining dependent claims 3-9 are allowable for at least the reasons discussed above, as well as for the individual features they recite.

Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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